

## REMARKS

In view of the following remarks, Applicant requests favorable reconsideration of the above-identified application.

Claims 1, 3, and 5-10 remain pending in this application, with Claim 1 being the sole independent claim. No amendments are presented at this time.

In the Amendment filed March 16, 2005, Applicant provided a complete response to the rejections set forth in the Office Action dated December 21, 2004. Applicant submits the rejections should be withdrawn for the reasons articulated in that Amendment. However, before the Examiner takes this application up for action, Applicant wishes to further address the rejection of Claim 3 under 35 U.S.C. § 112, first paragraph, which the Examiner commented on in the Advisory Action dated March 29, 2005.

Claim 3 stands rejected because the Examiner does not believe that the subject matter recited therein is adequately supported by the specification as originally filed. Claim 3 recites that a diffusion coefficient of the material of the first diffraction grating (which is disposed on the substrate) is less than a diffusion coefficient of the material of the second diffraction grating (which is disposed on the first diffraction grating). Applicant submits that one of ordinary skill in the art would understand that this relationship is supported by the specification as originally filed.

Specifically, paragraph [0007] states that a material of the second diffraction grating (i.e., aluminum) has a *high* diffusion coefficient *with respect to the substrate*. In addition, paragraphs [0009] and [0043] indicate that the material of the first diffraction grating has a *small* diffusion coefficient *with respect to the substrate*. Thus, the

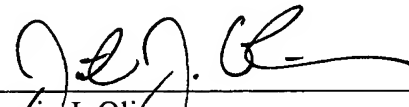
specification sets forth the following relationship of respective diffusion coefficients:

first diffraction grating material < substrate < second diffraction grating material.

That relationship is defined in the specification as originally filed. From the relationship, the features recited in dependent Claim 3 logically follow -- namely, that the diffusion coefficient of the material of the first diffraction grating is less than a diffusion coefficient of the material of the second diffraction grating.

Accordingly, Applicant requests favorable reconsideration of this matter and allowance of this application.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

  
Justin J. Oliver  
Attorney for Applicant  
Registration No.: 44,986

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

JJO/tmm

DC\_MAIN 200672v1